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F.B.I.-C.I.A. LAXITY ON KENNEDY FOUND

Senate Unit Asserts Their Effort Was Inadequate in Assassination Inquiry

By DAVID BINDER
Special to The New York Times

WASHINGTON, June 23—The Senate Select Committee on Intelligence Activities said in a report today that the Federal Bureau of Investigation and the Central Intelligence Agency had failed to fulfill their obligations in investigating the assassination in 1963 of President Kennedy.

While concluding that there was no new evidence "sufficient to justify a conclusion that there was a conspiracy to assassinate President Kennedy," the report called for a follow-up investigation of the murder by the new Senate Intelligence committee.

The report is the fifth and last issued by the Select Committee, which was set up to study governmental intelligence activities. Previous reports dealt with plots against lives of foreign leaders, covert operations and the history of the C.I.A.

The 106-page document dealt

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entirely with the performance of the Federal Government's intelligence agencies, domestic and foreign, with regard to the investigation of the Kennedy murder.

It said that the C.I.A. leadership had ignored the possibility of a connection between its own assassination attempts against Prime Minister Fidel Castro of Cuba and the murder of President Kennedy.

Further, it accused the C.I.A. of having deceived the investigatory commission headed by Chief Justice Earl Warren about its knowledge of facts relating to the assassination.

Specifically, the report said that Allen W. Dulles, Director of Central Intelligence until the spring of 1962, had never told the Warren Commission of his knowledge of previous assassination plots against Prime Minister Castro, which could have provoked Cuban retaliatory actions.

It added that the C.I.A. had also failed to disclose its sponsorship of a Cuban agent, code-named Am/Lash, who had been chosen to organize a coup against Mr. Castro from 1961 to 1965, and if possible to kill him. Nor was Am/Lash, in reality a Cuban physician named Rolando Cubelo, who was close to Mr. Castro, ever asked about the Kennedy assassination, the report said.

Oswald's Role

With regard to the role of Lee Harvey Oswald, who is generally held to have been the lone assassin of President Kennedy, the report says:

"Senior C.I.A. officials should have realized that their agency was not utilizing its full capability to investigate Oswald's pro-Castro and anti-Castro connections. They should have realized that C.I.A. operations against Cuba, particularly operations involving the assassination of Castro, needed to be considered in the investigation. Yet the directed their subordinates to conduct an investigation without telling them of these vital facts."

The report notes that the Warren Commission had been told flatly by the C.I.A. that it had "no evidence of foreign conspiracy."

As for the Federal Bureau of Investigation, the report said that its Director, the late J. Edward Hoover, had been so preoccupied witth what he described as a possible "smear" of the bureau in connection with Oswald that he had neglected to call for a broad and unprejudiced inquiry into the murder.

Pressure on Hoover Cited

After noting that Mr. Hoover had been "pressured by higher Government officials" to conclude the F.B.I. investigation swiftly, the report said:

"The F.B.I. conducted its investigation in an atmosphere of concern among senior bureau officials that it would be criticized and its reputation tarnished. Rather than addressing its investigation to all significant circumstances, including all possibilities of conspiracy, the F.B.I. investigation focused narrowly on Lee Harvey Oswald."

As a result of the C.I.A. and F.B.I. deficiencies, the Senate report asserted, the Warren Commission was unable to perform a thorough investigation or to reach definitive conclusions.

The report said it was "still unclear" why both agencies had failed to fulfill their duties, but suggested as motives: "concern with public reputation, problems of coordination between agencies, possible bureaucratic failure and embarrassment, and extreme compartmentation of knowledge of sensitive operations."

Failure to Follow Leads

As a result of the shortcomings, the report went on, two important leads on a possible

involvement of persons other than Oswald went unpursued.

The first lead, it said, concerned an unidentified passenger who boarded a Cuban Airlines flight from Mexico City to Cuba at 10:30 P.M. Dec. 1, 1963, nine days after the murder in Dallas. The C.I.A. report at the time noted that the flight had been delayed to pick up the stranger, who did not go through Mexican customs and who rode in the cockpit of the airliner. There was no follow-up by the C.I.A., the report said.

The second lead cited in the report involved a Cuban-American who crossed from Texas to Mexico on Nov. 23, 1963, the day after the murder, and went on to Cuba. This person reportedly returned to the United States in March 1964 and was described by an informant as "involved in the assassination." But neither the C.I.A. nor the F.B.I. followed up on this tip, the report said.

Because of the shortcomings and the remaining doubts, the select committee concluded with a recommendation that the permanent Senate intelligence committee headed by Daniel K. Inouye, Democrat of Hawaii, "continue the investigation in an attempt to resolve these questions."

The report was prepared by two members of the select committee, Gary Hart, Democrat of Colorado, and Richard S. Schweiker, Republican of Pennsylvania, and a staff of five.

At a news conference this non, Mr. Schweiker accused both the C.I.A. and the F.B.I. of "a cover-up" with regard to the Kennedy assassination inquiry. He said that the entire affair remained "a jigsaw," with some of the pieces missing. Mr. Hart and Senator Frank Church the Idaho Democrat who headed the select committee, dissented from the "cover-up" judgment but also urged a new investigation of the unexplored leads.